

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC EXAMINATION BY THE PUBLIC)	
SERVICE COMMISSION OF THE ENVIRONMENTAL)	
SURCHARGE MECHANISM OF LOUISVILLE GAS)	CASE NO.
AND ELECTRIC COMPANY FOR THE SIX-MONTH)	2016-00215
BILLING PERIOD ENDING APRIL 30, 2016)	

ORDER

On July 14, 2016, the Commission initiated a six-month review of Louisville Gas and Electric Company's ("LG&E") environmental surcharge as billed to customers for the six-month period beginning November 1, 2015, through April 30, 2016.¹ Pursuant to KRS 278.183(3), the Commission must review, at six-month intervals, the past operations of a utility's environmental surcharge. Also, pursuant to KRS 278.183(1), the Commission shall, by temporary adjustment of the surcharge, disallow any surcharge amounts that are not just and reasonable, and reconcile past surcharge collections with actual costs recoverable.

The July 14, 2016 Order also established a procedural schedule that provided for discovery, the filing of prepared testimony by LG&E, an informal conference, and intervenor testimony. LG&E filed prepared direct testimony and responded to a request for information issued by Commission Staff. On August 18, 2016, an informal conference was held at the Commission's offices to discuss the issues in this case. On

¹ LG&E's environmental surcharge is billed on a two-month lag. Thus, surcharge billings for November 2015 through April 2016 are based on costs incurred from September 2015 through February 2016.

September 19, 2016, LG&E requested that the Commission take this case under submission for decision based on the evidentiary record and issue an order by October 28, 2016. Since there are no intervenors in this case and a hearing is not necessary in the public interest, the Commission will adjudicate this case based on the evidence of record.

SURCHARGE ADJUSTMENT

LG&E determined that it had a net under-recovery of environmental costs for the six-month billing period ending April 30, 2016, of \$4,702,532.² LG&E recommended that the Commission approve an increase to the jurisdictional environmental surcharge revenue requirement of \$783,755 per month for four months and \$783,756 for two months, beginning in the second full billing month following the Commission's final Order in this proceeding.³ The six-month increase in jurisdictional environmental surcharge revenue requirement would increase LG&E's environmental cost recovery billing factor for those same months.

The Commission has reviewed and finds reasonable LG&E's calculation of a net under-recovery of \$4,702,532 for the six-month billing period covered in this proceeding. The Commission also finds reasonable LG&E's proposal to recover this under-recovery by increasing the total jurisdictional environmental surcharge revenue requirement by \$783,755 per month for four months and \$783,756 for two months beginning in the second full billing month following the date of this Order. LG&E stated that the actual average residential customer's usage for the 12-month period ending April 30, 2016, is

² Direct Testimony of Christopher M. Garrett at 5.

³ *Id.* at 7.

943 kilowatt hours (“kWh”) per month.⁴ LG&E calculates that for a residential customer using 943 kWh per month, the impact of its proposed increase in the environmental cost recovery billing factor would be an increase of approximately \$0.88 per month for six months, using rates and adjustment clause factors in effect for the June 2016 billing month.⁵

RATE OF RETURN

LG&E provided the outstanding balances for its long-term debt, short-term debt, and common equity as of February 29, 2016, the last expense month of the review period.⁶ It also provided the blended interest rates for its long-term and short-term debt as of February 29, 2016.⁷ Using this information, along with the currently approved 10.00 percent return on equity,⁸ LG&E calculated a weighted average cost of capital, before income tax gross-up, of 7.09 percent for its 2009 and 2011 Environmental Compliance Plans (“Compliance Plans”).⁹ LG&E also provided the overall rate of return on capital reflecting the tax gross-up approach approved in Case No. 2004-00421.¹⁰

⁴ Response to Commission Staff’s First Request for Information (“Staff’s First Request”), Item 6.

⁵ *Id.*

⁶ Response to Staff’s First Request, Item 5.

⁷ *Id.*

⁸ Case No. 2014-00372, *Application of Louisville Gas and Electric Company for an Adjustment of Its Electric and Gas Rates* (Ky. PSC June 30, 2015).

⁹ Response to Staff’s First Request, Item 5.

¹⁰ Case No. 2004-00421, *The Application of Louisville Gas and Electric Company for Approval of Its 2004 Compliance Plan for Recovery by Environmental Surcharge* (Ky. PSC June 20, 2005); and the response to Staff’s First Request, Item 5. In the response, LG&E determined that the income tax gross-up factor was 0.61, which would produce a tax grossed-up weighted average cost of capital of 10.38 percent.

The Commission has reviewed LG&E's calculation of the weighted average cost of capital and finds that its use of 7.09 percent is reasonable for the Compliance Plans and should be approved. The Commission has also reviewed LG&E's calculation of the tax gross-up factor and finds that it is consistent with the approach approved in Case No. 2004-00421. The gross-up factor excludes the Internal Revenue Code §199 manufacturing tax deduction ("§199 deduction"), as LG&E expects to incur a tax loss for 2015 and 2016 due to bonus depreciation. The §199 deduction is not available to companies that do not have taxable income. Therefore, the Commission finds that the weighted average cost of capital for LG&E's Compliance Plans of 7.09 percent and the income tax gross-up factor of 0.61, which produce an overall grossed-up return of 10.38 percent, should be used in all LG&E monthly environmental surcharge filings beginning in the second full billing month following the date of this Order.

IT IS THEREFORE ORDERED that:

1. The amounts billed to customers by LG&E through its environmental surcharge for the period from November 1, 2015, through April 30, 2016, are approved.
2. Beginning in the second full billing month following the date of this Order, LG&E shall increase its jurisdictional environmental revenue requirement by \$783,755 per month for four months and \$783,756 for two months.
3. Beginning in the second full billing month following the date of this Order, LG&E shall use an overall rate of return on capital of 7.09 percent, a tax gross-up factor of 0.61, and an overall grossed-up return of 10.38 percent in all future monthly environmental surcharge filings for its 2009 and 2011 Compliance Plans unless directed otherwise by the Commission.

By the Commission

ENTERED
OCT 24 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2016-00215

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